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July 8, 2015

Hon. Lorna G. Schofield
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *US Airways, Inc. v. Sabre Holdings Corp., et al.*, No. 1:11-cv-02725-LGS

Dear Judge Schofield:

In its July 7, 2015 letter (ECF No. 316), US Airways asks the Court to allow its experts to present live direct testimony without Sabre's experts being provided the same opportunity. As we noted in the June 30 hearing, to the extent there is a trial in this matter (which Sabre does not believe will be necessary in light of its forthcoming Rule 68 Offer of Judgment and, if necessary, Motion to Dismiss and Enter Judgment), Sabre is not adverse to live expert direct examinations, but only if both parties have that opportunity. US Airways' experts should not be allowed to give live direct testimony without Sabre being provided the same opportunity.

Alternatively, US Airways asks that it be given three weeks after Sabre's expert submissions to submit written "rebuttal" testimony. The schedule simply does not allow US Airways to take three weeks, especially in light of the fact that the Court's scheduling order calls for briefing on expert issues to be triggered by the date of completion of the expert affidavit submissions. Thus, US Airways' proposal would delay multiple deadlines (and any Daubert decision from the Court) by at least three weeks in an already compressed schedule.

Nor should US Airways need three weeks. Sabre has only three weeks after receiving US Airways' opening affidavits to prepare its entire responses. Any rebuttal should take one week, not three. Thus, US Airways' "rebuttal" affidavits should be due August 25, 2015, with any motions or briefing on expert issues by Sabre due September 7 (a one week extension to the current schedule to match the one week of additional time for completion of US Airways' expert submissions). These dates would give US Airways adequate time to prepare affidavits on any true "rebuttal" and would still give the parties enough time under the current schedule to submit any challenges to the experts.

Sincerely,



Chris Lind

cc: Counsel for US Airways, Inc. (via ECF)